

Notice of Allowability

Application No.

09/559,223

Examiner

Baoquoc N To

Applicant(s)

ROCHE ET AL.

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/23/2004.
2. ☒ The allowed claim(s) is/are 151-154, 156-164, 166-168 and 170.
3. ☒ The drawings filed on 26 April 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892) #
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 09/24/2004.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JEAN M. CORRIELUS
PRIMARY EXAMINER

DETAILED ACTION

1. Claims 1-121, 132-137, 141-145 and 148-150 are canceled and claims 151-170 are newly added in the amendment filed on 06/16/2004. Claims 151-170 are pending in this application.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Sam Pasternack Reg. No. 29,576 on 09/23/2004.

Please replace and cancel claims 151-170 as follow:

Please replace claim 151 with: --A method of fulfilling an information need based on documents and an index stored on a computer-readable medium comprising the steps of:

receiving a query containing a word and a symbol that matches any term;

identifying one or more documents in the index containing the word;

locating one or more different terms at a location of the symbol in the query within the identified one or more documents; and

ranking the located one or more different terms using a metric related to the number of times in all of the identified documents the one or more terms was located, wherein the metric is the number of times the one or more terms was located in all of the identified documents.--

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Please replace claim 152 with;--The method of claim 151 wherein the index identifies documents that contain the word.--

Please replace claim 153 with;--The method of claim 151 wherein the documents are accessible on the internet.--

Please replace claim 154 with;-- The method of claim 151 wherein the documents comprise worldwide web pages.--

Please cancel claim 155.

Please replace claim 156 with;--The method of claim 151 further comprising the step of outputting the ranked one or more different terms.--

Please replace claim 157 with;--The method of claim 156 further comprising the step of outputting identifiers or locations of the documents that contain the word.--

Please replace claim 158 with;--The method of claim 157 wherein the identifiers or location of a document comprises a uniform resource locator.--

Please replace claim 159 with;--The method of claim 151 wherein the symbol includes a restriction that comprises a morphological feature.—

Please replace claim 160 with;--The method of claim 151 wherein the symbol includes a restriction that comprises a syntactic feature.--

Please replace claim 161 with;--The method of claim 151 wherein the symbol includes a restriction that comprises a computer program.--

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Please replace claim 162 with;--The method of claim 151 wherein the index includes locations of terms within the documents.--

Please replace claim 163 with; --The method of claim 162 wherein the locating step comprises:

determining the location of a term in the query within a document using the index; and

locating a term based on a location of the term within the document.--

Please replace claim 164 with;--The method of claim 151 wherein the metric is based on the content of a plurality of documents identified in the identifying step.--

Please cancel claim 165.

Please replace claim 166 with;--A method of fulfilling an information need based on contexts in documents and an index stored on a computer readable medium comprising the steps of:

receiving a query containing a word and a symbol that matches any term; identifying one or more documents having a context containing the word, wherein the context comprises one or more terms surrounding the word;

locating one or more different terms at a location of the symbol in the query within the identified one or more contexts within the documents; and

ranking the located one or more different terms using a metric related to the number of times in all of the identified documents the one or more terms was located, wherein the metric is the number of times the one or more terms was located in all of the identified documents.--

Please cancel claim 167 with;--The method of claim 166 further including storing contexts for terms wherein a context occurs in a document.--

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Please replace claim 168 with;--The method of claim 167 wherein the storing step comprises storing, for a plurality of contexts, a finite state automaton that represents the context.--

Please cancel claim 169.

Please replace claim 170 with;--Computer-executable process steps stored on a computer-readable medium, the computer-executable process steps to fulfill an information need based on documents and an index also stored on a computer-readable medium, the computer-executable process steps comprising:

code to receive a query containing a word and a symbol that matches any term;

code to identify one or more documents in the index containing the word;

code to locate one or more different terms at a location of the symbol in the query within the identified one or more documents; and

code to rank the located one or more different terms using a metric related to the number of times in all of the identified documents the one or more terms was located, wherein the metric is the number of times the one or more terms was located in all of the identified documents.—

Allowable Subject Matter

3. Claims 151-154, 156-164, 166-168 and 170 are allowed over the cited of records.

The following is an examiner's statement of reasons for allowance:

In claims 151 and 170, none of prior art made of records alone or in combination neither teach or suggest the "ranking the located one or more different terms using a metric related to the number of times in all of the identified documents the one or more terms was located, wherein the metric is the number of times the one or more terms was located in all of the identified documents" in

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conjunction with other limitations "receiving a query containing a word and a symbol that matches any term; identifying one or more documents in the index containing the word; locating one or more different terms at a location of the symbol in the query within the identified one or more documents."

In claim 166, none of prior art made of records alone or in combination neither teach or suggest the "ranking the located one or more different terms using a metric related to the number of times in all of the identified documents the one or more terms was located, wherein the metric is the number of times the one or more terms was located in all of the identified documents" in conjunction with other limitations "receiving a query containing a word and a symbol that matches any term; identifying one or more documents in the index containing the word; locating one or more different terms at a location of the symbol in the query within the identified one or more documents."

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is (703) 305-1949 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at (703) 305-9790.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:


(703) 872-9306 [Official Communication]

Hand-delivered responses should be brought to:

Crystal Park II
2121 Crystal Drive
Arlington, VA 22202
Fourth Floor (Receptionist).

Baoquoc N. To

September 26, 2004


JEAN M. CORRIELLUS
PRIMARY EXAMINER